


IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	
	:	CASE NO. 1:00-CR-119-03
v.	:	
	:	(Judge Kane)
JOHN WATSON,	:	
Petitioner	:	
	:	

**ORDER**

This matter is before the Court on remand from the United States Court of Appeals for the Third Circuit for the purpose of determining whether a certificate of appealability should issue. On February 10, 2004, Petitioner filed a second amended petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2255. (Doc. No. 266.) The Court conducted evidentiary hearings on Petitioner's claims on January 27, 2005 and February 11, 2005, but denied Petitioner's motion to vacate, set side, or correct sentence by Order dated February 28, 2005. (Doc. No. 285.) Based upon the analysis in the Court's detailed Order dated February 28, 2005, there exists no basis for the issuance of a Certificate of Appealability. Petitioner has not made a substantial showing of a denial of a constitutional right. Accordingly, the Court will decline to issue a Certificate of Appealability.

AND NOW, this 16<sup>th</sup> day of June, 2005, **IT IS HEREBY ORDERED THAT** the request for issuance of a certificate of appealability is **DENIED**. The Clerk of Court is directed to forward this Order to the Clerk of the United States Court of Appeals for the Third Circuit.

  
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Yvette Kane  
United States District Judge